

1964

FIRST ANNIVERSARY OF LIMITED NUCLEAR TEST BAN TREATY

As in legislative session, Mr. HUMPHREY. Mr. President, 1 year ago yesterday representatives from the United States, the United Kingdom, and the Soviet Union affixed their signatures to a document—a document widely acclaimed throughout the world as a step toward peace, as a step toward sanity in the nuclear age.

The document was the limited nuclear test ban treaty. Within a short time, over 100 nations signed or acceded to the agreement.

Here at home, the Senate Committees on Foreign Relations and on Armed Services cooperated in holding extensive hearings on the political and military implications of the treaty. In its report, the Committee on Foreign Relations, by a vote of 16 to 1, recommended that the Senate give its advice and consent to the treaty. The same bipartisan support was evidenced in the Senate by an overwhelming majority of both Republicans and Democrats.

We have now experienced 1 year without testing in the prohibited environments—1 year without adding to the dangers of radioactive fallout—1 year of restraint and control in this particular area of the arms race.

I hope this manifestation of arms control will continue and form a basis for greater progress toward peace and security. It must, if our American heritage and the rest of Western civilization is to survive. For we live in an era in which war would not result in victory for either side. We live in an era in which man's problems would only be dissolved by dissolving man. As the late President Kennedy stated in his speech at American University a year ago last June:

Should total war ever break out again, all we have built, all we have worked for, would be destroyed in the first 24 hours.

And President Johnson has long recognized the need of meaningful and safeguarded nuclear arms control. No one can assert that our President is a Johnny-come-lately to the American security scene. In commenting last week on the anniversary of the test ban treaty, he said:

Even if this treaty should end tomorrow, the United States would be safer and stronger than before. We owe the test ban treaty, and this year of progress, to the determined and dedicated leadership of a great President, and the Senate of the United States.

This statement was born of knowledge, experience, and an abiding sense of just attribution. But I can say, from many years of close association with President Johnson, that we also owe the test ban treaty to him. Among his many duties, this former colleague was chairman of the Preparedness Investigating Subcommittee of the Committee on Armed Services.

As Senate minority and majority leader, he supported the efforts of the Eisenhower administration to arrive at a safeguarded nuclear test ban treaty. As Vice President, he participated in the

deliberations of the Executive Branch Committee of Principals, including the Secretaries of State and Defense, Director of ACDA, Director of CIA, Chairman of AEC, Special Assistant to President on National Security Affairs and Science and Technology, which approved the test ban proposal. He presided over the Senate when we approved the treaty last September; and last January, in a message to the 18-nation Disarmament Conference in Geneva, he urged agreement "on the banning of all nuclear weapons tests under effective verification and control" as further evidence of his commitment to this goal.

This is a man who recognizes the need of maintaining our strength in the absence of safeguarded alternatives. He has demonstrated this once again this week in responding to unprovoked attacks on U.S. vessels in southeast Asia. But our President is also a man who has said:

Once upon a time even large-scale wars could be waged without risking the end of civilization. But what was once upon a time is no longer so, because general war is impossible * * * and some alternatives are essential.

He has said:

We can live in strength without adding to the hazards of life on this planet. We need not relax our guard in order to avoid unnecessary risks.

And he has concluded:

This is the legacy of the nuclear test ban treaty and it is a legacy of hope.

Mr. President, I concur in the sentiments expressed by our Chief Executive, who is also our Commander in Chief. I am proud of the part we in the Senate have played in bringing the limited nuclear test ban treaty to a successful conclusion, and I am proud of the leadership our President has demonstrated in his pursuit of peace and national security through the control and reduction of worldwide armaments.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a press release of the Department of State entitled "Joint Statement by the Governments of the United States, United Kingdom, and the Union of Soviet Socialist Republics."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY THE GOVERNMENTS OF THE UNITED STATES, UNITED KINGDOM, AND THE UNION OF SOVIET SOCIALIST REPUBLICS

One year ago today the treaty banning nuclear weapon tests in the atmosphere, in outer space and under water was signed by the representative of the United States, United Kingdom, and the U.S.S.R. This treaty moved our planet toward a further strengthening of peace. It helps restrict the arms race. It gives all men and women confidence that they and their children will be breathing purer air and living in a healthier, a less contaminated world. The states taking part in the disarmament negotiations at Geneva made their contribution to this cause. The positive role played by the Secretary General of the U.N., U Thant, in the conclusion of the treaty banning nuclear weapon tests in the three elements is worthy of note. Since the signing of the treaty, most of the world's states—more than 100—

have joined the three original signatories. Since then, also, additional—if limited—steps have been taken to reduce nuclear hazards to mankind. Such are the resolution of the General Assembly of October 17, 1963, on banning of weapons of mass destruction in outer space and the steps taken by the United States, United Kingdom, and the U.S.S.R. in the early months of this year to cut back production of plutonium and enriched uranium.

These have been significant and valuable steps, but only first steps. Serious problems and differences remain to be dealt with in order to achieve a downturn in the arms race, effective disarmament and secure peace. With a sincere concern for the true interests of all nations and through a constructive effort to achieve agreement consistent with those interests, we can seek to move along the road to understanding and to peace.

In marking the first anniversary of the signing of the treaty banning nuclear weapon tests in the atmosphere, in outer space, and under water, we declare our intention to do everything possible for the solution through negotiations of unresolved international problems in order to strengthen general peace, the benefits of which would be enjoyed by all states, big and small, and by all people.

THE DUAL CHALLENGE OF THE JERSEY CITY RIOTS

As in legislative session, Mr. HUMPHREY. Mr. President, the mayor of Jersey City has released a statement on the Jersey City riots which merits the attention of the Senate. Mayor Thomas J. Whelan notes that violence and lawlessness cannot be tolerated. But he also notes that he supports the Negroes' striving for full civil rights.

This is the dual challenge which the recent riots in Northern States presents to Congress and the Nation. There must be a restoration of law and order, but there must be equally forceful determination to remedy the social and economic situations which contribute so directly to these outbreaks.

I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "Jersey City's Riots," published in the New York Times of August 5, 1964, and the full text of Mayor Whelan's statement on the Jersey City riots.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

JERSEY CITY'S RIOTS

The race riots in Jersey City fit into a pattern that is becoming alarmingly familiar. While they differ in some respects from the disorders in Harlem, Brooklyn, and Rochester, the causes and the way the social and economic desperation expresses itself are similar. Since there are many cities and suburbs in the North where these same conditions exist, the danger of other riots in other places has to be faced.

When the body politic is sick, as is the case in this respect in the United States, the search for remedies must not falter. It is to state the obvious to say that the social evils of racial inequality in the United States have to be eradicated, but it is also obvious that this cannot be done quickly or easily.

Jersey City's Negro and Puerto Rican community has been growing in size, spreading, and for the most part living under bad slum conditions in which the youth, especially,

find insufficient opportunity for reduction, work, and recreation. The rioting in Jersey City, incidentally, was done mainly by youths.

This type of violence, as was seen in Harlem, Bedford-Stuyvesant, and Rochester, comes like an explosion. But the powder is there, and has been there for a long time. The moderate, responsible and farsighted members of the community, black and white, work to bring about better conditions, as in fact they did in Jersey City.

But this type of progress, which can be termed evolutionary, is necessarily gradual. It is not surprising that certain elements among the Negroes—desperate, reckless, impatient—should seek the violent, essentially revolutionary solution. Always there is a small criminal element that moves in to do looting and wanton destruction. If there are Communists or other leftwing radicals, they will take advantage of the situation, but they are a lunatic fringe, not the cause of the rioting. Something—which can be quite trivial—acts like a spark, and then comes the explosion.

Once again it must be said, for Jersey City and elsewhere, first that law and order must be enforced and secondly that responsible elements, Negro and white, in government and out, must act to restrain the extremists and above all to set vigorously about the task of correcting the basic causes of the violence.

Perhaps the greatest need of all is to instill hope and faith in the Negro community that the future will be better than the present or the past. Meanwhile, it cannot be repeated too often that the ones who suffer most from rioting are the Negroes themselves. They are defeating their own purposes, not only in one locality, but in the whole nation.

TEXT OF WHELAN STATEMENT

To all Negroes in Jersey City, may I say that I not only sympathize with your cause—I support it.

But I will neither support nor tolerate outbreaks of violence or terror by any citizen or any group of citizens, whether they be black or white.

Let me assure all respectable citizens that their persons, their homes, and their businesses will be protected.

Anyone who attacks a policeman had better be prepared to come off second best and will most certainly suffer the consequences.

Anyone who inflicts bodily harm on another will feel the full wrath of the law.

I am not going to permit Jersey City to become another Harlem or another Rochester because of the actions of a few terrorists, intent upon destroying years of excellent relations in our city among all races.

The complaint has been raised of police brutality. There is no excuse for the use of unnecessary force on the part of the police. Where there has been brutality it will be dealt with sternly.

But every citizen must understand that pillaging, looting, hooliganism, and hoodlunism are hardly the way to right a wrong.

Unless the people realize this, an orderly society is impossible to maintain. Law-breakers must be treated in the same manner, no matter what their color. The police, however, have the right and the duty to arrest those they believe guilty of breaching law and order.

The rioting that broke out in this city as the aftermath of a routine arrest is another piece in the fabric of pressure being wrapped around enforcement agencies.

I will not hamstring our police department and I will not license lawbreaking. This is simply a case of hoodlunism versus law and order and I am determined that law and order will win.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, in view of the unanimous-consent agreement entered into, I ask unanimous consent that the order for the quorum call may be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPLEMENTARY CONVENTION OF EXTRADITION WITH BELGIUM

The Senate, as in Committee of the Whole, resumed the consideration of the Supplementary Convention of Extradition With Belgium (Ex. C, 88th Cong., 2d sess.), dated in Brussels, November 14, 1963.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the extradition convention with Belgium.

The yeas and nays were ordered.

The PRESIDING OFFICER. Without objection, the extradition convention with Belgium (Ex. C, 88th Cong., 2d sess.) will be considered as having been passed through its various parliamentary stages up to the point of the consideration of the resolution of ratification, which the clerk will read.

The legislative clerk read as follows:

EXECUTIVE C

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the supplementary convention to the extradition convention of October 26, 1901, and the supplementary convention of June 20, 1935, between the United States of America and Belgium, which supplementary convention was signed at Brussels on November 14, 1963. (Ex. C, 88/2.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the resolution of ratification? The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Massachusetts [Mr. KENNEDY], and the Senator from New Mexico [Mr. ANDERSON] are absent because of illness.

I further announce that the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from Georgia [Mr. TALMADGE], and the Senator from Tennessee [Mr. WALTERS] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Oklahoma [Mr. EDMONDSON], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Georgia [Mr. TALMADGE], and the Senator from Tennessee [Mr. WALTERS] each would vote "yea."

Mr. KUCHEL. I announce that the Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

The Senator from Kentucky [Mr. COOPER] is detained on official business and, if present and voting, would vote "yea."

The yeas and nays resulted—yeas 91, nays 0, as follows:

[No. 519 Leg.]

YEAS—91

Aiken	Hickenlooper	Mundt
Allott	Hill	Murkie
Bartlett	Holland	Nelson
Bayh	Hruska	Neuberger
Beall	Humphrey	Pastore
Bennett	Inouye	Pearson
Bible	Jackson	Pell
Boggs	Javits	Prouty
Brewster	Johnston	Proxmire
Burdick	Jordan, N.C.	Randolph
Byrd, Va.	Jordan, Idaho	Ribicoff
Byrd, W. Va.	Keating	Robertson
Carlson	Kuchel	Russell
Case	Lausche	Salinger
Church	Long, Mo.	Saltonstall
Clark	Long, La.	Scott
Cotton	Magnuson	Simpton
Curtis	Mansfield	Smathers
Dirksen	McCarthy	Smith
Dodd	McClellan	Sparkman
Dominick	McGee	Stennis
Douglas	McGovern	Symington
Eastland	McIntyre	Thurmond
Ellender	McNamara	Tower
Ervin	Mechem	Williams, N.J.
Fong	Metcalf	Williams, Del.
Fulbright	Miller	Yarborough
Gruening	Monroney	Young, N. Dak.
Hart	Morse	Young, Ohio
Harke	Morton	
Hayden	Moss	

NAYS—0

NOT VOTING—9

Anderson	Edmondson	Kennedy
Cannon	Goldwater	Talmadge
Cooper	Gore	Walters

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the President be immediately notified of the action of the Senate in agreeing to the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

On motion by Mr. FULBRIGHT, the Senate resumed the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had concurred in the amendment of the Senate to the bill (H.R. 2434) to amend section 560 of title 38, United States Code, to permit the payment of special pension holders of the Congressional Medal of Honor awarded such medal for actions not involving conflict with an enemy, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8009) to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes.

The message further announced that the House had agreed to the amend-